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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,
9 Plaintiff,
10 v.
11 JAN ROUVEN FUECHTENER
(AKA LARS SCHMIDT),
12 Defendant.

2:16-CR-100-GMN-CWH

**Second Amended Preliminary Order of
Forfeiture**

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14 This Court finds Jan Rouven Fuechtener, aka Lars Schmidt, pled guilty to Counts
15 One through Three of a Four-Count Criminal Indictment charging him in Count One with
16 possession of child pornography in violation of 18 U.S.C. § 2252A(a)(5)(B); in Count Two
17 with receipt of child pornography in violation of 18 U.S.C. § 2252A(a)(2); and in Count
18 Three with distribution of child pornography in violation of 18 U.S.C. § 2252A(a)(2).
19 Criminal Indictment, ECF No. 12; Change of Plea, ECF No. 142; Plea Agreement, ECF
20 No. 146.

21 This Court finds Jan Rouven Fuechtener, aka Lars Schmidt, agreed to the forfeiture
22 of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal
23 Indictment. Criminal Indictment, ECF No. 12; Change of Plea, ECF No. 142; Plea
24 Agreement, ECF No. 146.

25 This Court find the following items, listed in the Plea Agreement as subject to
26 forfeiture, do not contain visual depictions in violation of 18 U.S.C. § 2252A or do not
27 qualify as facilitating property and are not subject to forfeiture:

28 1. Apple iPad 64GB, Model A1337, S/N J3024C81ETV;

2. Iomega hard drive, S/N J5BV121045;
3. Apple iPad Air, Model A1474, S/N DMPLN7T3FK17;
4. Iomega hard drive, S/N 31641800-R;
5. Sony PCG-991M Laptop Computer, tag # 283320515104663, in black case w/
Power Cord;
6. Apple MacBook laptop, Model A1286, S/N C02H3C9CDV7L;
7. Apple Laptop, Model A1286, S/N W8017MAVAGU;
8. Apple iPod 160GB, Model A1238, S/N 8K3448N09ZU;
9. 2 DVDs and 6 mini disks;
10. WD External HD, S/N WCC4E2DUZ6R2;
11. Black Iomega GDHDU2 select desktop HD, S/N XRAA379148;
12. Magnasonic Alarm Clock Recording Device, Model P1300, tag # 130100692;
13. Magnasonic Alarm Clock Recording Device, Model P1300, tag # 130100691;
14. Seagate External Hard Drive, S/N NA5R1GK4;
15. HP Pavilion DV8000 HSTNN-C16C laptop, S/N CND6151SDY;
16. Apple iMac All in One CPU, Model A1311, S/N W81082SZDAS;
17. Apple iMac All in One CPU, Model A1225, S/N VM810R8FX8A;
18. Apple iMac All in One CPU, Model A1225, S/N W88070L7X89;
19. Black Apple iPhone, Model A1332, ic: 579C-E2380A, S/N 87036FB4A4T; and
20. Iomega hard drive, S/N TGBK421146.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States
22 of America has shown the requisite nexus between the following property, set forth in the
23 Plea Agreement and the Forfeiture Allegation of the Criminal Indictment, and the offense to
24 which Jan Rouven Fuechtener, aka Lars Schmidt, pled guilty.

25 The following property is (1) any visual depiction described in 18 U.S.C. § 2252A, or
26 any book, magazine, periodical, film, videotape, or other matter which contains any such
27 visual depiction, which was produced, transported, mailed, shipped or received in violation
28 of 18 U.S.C. § 2252A(a)(2) and 2252A(a)(5)(B); (2) any property, real or personal,

1 constituting or traceable to gross profits or other proceeds obtained from violations of 18
2 U.S.C. § 2252A(a)(2) and 2252A(a)(5)(B); and (3) any property, real or personal, used or
3 intended to be used to commit or to promote the commission of 18 U.S.C. § 2252A(a)(2)
4 and 2252A(a)(5)(B) or any property traceable to such property, and is subject to forfeiture
5 pursuant to 18 U.S.C. § 2253(a)(1), 2253(a)(2), and 2253(a)(3):

- 6 1. Apple MacBook Air Laptop w/ SanDisk Memory Card and Charger, Model
7 A1466, S/N C02LT0JWF74;
- 8 2. Apple iMac All in One CPU, Model A1311, S/N C02FH48XDHJN;
- 9 3. Apple wireless mouse and keyboard;
- 10 4. WD My Passport Ultra external hard drive, S/N WXP1EC4A6325;
- 11 5. Netgear Router, Model EX7000, S/N 46D1547RA189D;
- 12 6. Netgear Nighthawk Router w/ power cord, Model R7500, S/N
13 3V01485301A50;
- 14 7. Apple MacBook Air Laptop, Model A1304, S/N W89391VT9A7;
- 15 8. Apple MacBook Pro Laptop, Model A1398, S/N C0L33X8FFT1;
- 16 9. Black/Grey WD My Passport USB HDD, S/N WXB1AC41RPRA;
- 17 10. Transcend USB 8GB;
- 18 11. External USB HD with blue Wonder Works label;
- 19 12. White External USB HD, S/N WX91C80A4434T;
- 20 13. SanDisk 32GB Memory Card;
- 21 14. Gateway Desktop Computer, Model SX2803-25E, S/N
22 PTGBS0200111105D2A9600; and
- 23 15. Lexar 16GB Thumb Drive

24 (all of which constitutes property).

25 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e)(1)(A), the
26 United States of America has shown the requisite nexus between subsequently located
27 property set forth below and the offense to which Jan Rouven Fuechtener, aka Lars
28 Schmidt, pled guilty:

1 1. Apple iPhone, Silver & Black Model A1549, IMEI 356988067883781
2 (which also constitutes property).

3 This Court finds that the United States of America may amend this order at any time
4 to add subsequently located property or substitute property to the forfeiture order pursuant
5 to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

6 This Court finds the United States of America is now entitled to, and should, reduce
7 the aforementioned property to the possession of the United States of America.

8 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
9 DECREED that the United States of America should seize the aforementioned property.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
11 rights, ownership rights, and all rights, titles, and interests of Jan Rouven Fuechtener, aka
12 Lars Schmidt, in the aforementioned property are forfeited and are vested in the United
13 States of America and shall be safely held by the United States of America until further
14 order of the Court.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
16 of America shall publish for at least thirty (30) consecutive days on the official internet
17 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
18 describe the forfeited property, state the time under the applicable statute when a petition
19 contesting the forfeiture must be filed, and state the name and contact information for the
20 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
21 and 21 U.S.C. § 853(n)(2).

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
23 or entity who claims an interest in the aforementioned property must file a petition for a
24 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
25 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
26 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
27 right, title, or interest in the forfeited property and any additional facts supporting the
28 petitioner's petition and the relief sought.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
2 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
3 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
4 not sent, no later than sixty (60) days after the first day of the publication on the official
5 internet government forfeiture site, www.forfeiture.gov.

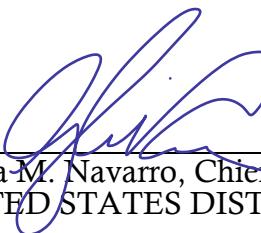
6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
7 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
8 Attorney's Office at the following address at the time of filing:

9 Daniel D. Hollingsworth
10 Assistant United States Attorney
11 James A. Blum
12 Assistant United States Attorney
13 501 Las Vegas Boulevard South, Suite 1100
14 Las Vegas, Nevada 89101.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
16 described herein need not be published in the event a Declaration of Forfeiture is issued by
17 the appropriate agency following publication of notice of seizure and intent to
18 administratively forfeit the above-described property.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
20 copies of this Order to all counsel of record.

21 Dated this 30 day of July, 2019.

22 
23 Gloria M. Navarro, Chief Judge
24 UNITED STATES DISTRICT COURT

CERTIFICATE OF SERVICE

A copy of the foregoing was served upon counsel of record via Electronic Filing on May 23, 2019.

/s/ Heidi L. Skillin
HEIDI L. SKILLIN
FSA Contractor Paralegal